

2. (As Filed) The device of Claim 1, wherein the positioning of the neonate is accomplished without direct physical contact between a caregiver and the neonate.

3. (As Filed) The device of Claim 1, further comprising a fastening means for coupling each of the support members to a portion of the conformable member.

4. (As Filed) The device of Claim 3, wherein the fastening means comprises a plurality of hollow sleeves, coupled to a portion of said conformable member, wherein each hollow sleeve has an open end to insertably receive one of the plurality of support members.

5. (As Filed) The device of Claim 1, wherein each of the support members is removably coupled to the conformable member.

146 (Amended) The device of Claim 1, wherein the conformable member comprises a material having a density sufficient for cushioning the neonate.

7. (As Filed) The device of Claim 1, wherein the conformable member comprises a structure taken from the group consisting of a padded blanket and a padded mattress.

8. (As Filed) The device of Claim 1, wherein the plurality of support members comprises:  
a transverse support member coupled substantially transversely along a head end of the conformable member; and  
at least one lateral support member coupled substantially laterally along a lateral edge of the conformable member.

9. (As Filed) The device of Claim 1, wherein the plurality of support members comprises a pair of lateral support members coupled substantially along opposing lateral edges, the pair of support members defining a torso area on the conformable member.

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<sup>7</sup>10. (As Filed) The device of Claim 1, wherein each of the plurality of support members comprises a sealable collapsible bag having a filler material.

811. (As Filed) The device of Claim <sup>7</sup>10, wherein the filler material is taken from the group consisting of polystyrene beads, down feathers, resilient foam, air, liquid, flaxseed and silicon gel.

12. (As Filed) The device of Claim 1, wherein the support members define a torso area on a portion of the conformable member which provides support to the neonate placed thereon in either a supine, a prone, and a side-lying position.

*Sub 4*  
~~13. (As Filed) The device of Claim 1, wherein movement of at least one of the plurality of support members allows the position of the neonate to vary from a first posture to a second posture.~~

<sup>10</sup>14. (As Filed) The device of Claim <sup>9</sup>13, wherein the first and the second postures comprise a supine, a prone, and a side-lying position.

*Sub 5*  
A1  
(cor 7)  
~~15. (Amended) A positioning device for positioning an infant, the device comprising:  
a substantially conforming member;  
at least two support members coupled to a portion of said conforming member to define a torso area thereon, each of said support members being moveable from a first position to a second position, movement of at least one support member capable of causing the position of the neonate to vary from a first posture to a second posture in response to the movement.~~

<sup>12</sup>  
~~16. (As Filed) The device of Claim <sup>11</sup>15, wherein the repositioning of the infant is accomplished while avoiding human touch between the infant and a caregiver.~~

17. (Amended) An infant positioning device comprising:  
means for an infant from a first posture to a second posture without the aid of human touch being applied to the infant.

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A<sub>1</sub>  
(cancel)

18. (Amended) A method for repositioning an infant, the method comprising:  
placing an infant on a conformable member in a first posture; and  
manipulating a support member between a first position and a second position to cause  
the infant to move from the first posture to a second posture.

19. (Amended) The method of Claim 18, wherein said manipulating comprises  
minimizing human touch between the infant and a caregiver.

~~Claim 20 is canceled.~~

~~Please add Claim 21.~~

A<sub>2</sub>

21. (New) A device for maintaining proper positioning and bodily alignment of a  
neonate, the device comprising:  
a pad defining an area large enough to accommodate a neonate; and  
two or more support members each coupled to said pad, each support member being  
moveable from a first position where each of said support members are conformed to a first  
posture of said neonate to a second position where each of said support members is  
conformed to a second posture of said neonate.

#### REMARKS

Claims 1-19 and 21 are pending. Claims 1, 6, 15, and 17-19 have been amended.  
Claim 20 has been canceled. Claim 21 has been added, with no new matter being added  
thereby. Applicants respectfully request re-examination and re-consideration of the pending  
claims.

Claim 6 is objected to because of informalities, which Applicants have corrected as  
suggested by the Examiner. Accordingly, Claim 6 is in condition for allowance.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Berger  
(USPN 5,351,348). Applicants overcome the rejection, as follows:

Claim 1 sets forth a device for supporting and positioning a neonate having a plurality  
of support members movable from a first position to a second position. When in the second

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